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**MAR 16 2011**

**OFFICE OF PETITIONS**

Solutia Inc.  
575 Maryville Centre Drive  
St. Louis, MO 63141

In re Application of Shively et al.	:	
Application No. 10/729,587	:	Decision on Petition
Filing Date: December 6, 2003	:	
Attorney Docket No. P-477	:	

This is a decision on the petition under 37 CFR 1.137(b), filed October 14, 2010, to revive the above-identified application.

The petition is **DISMISSED**.

Background

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed August 8, 2007, which set a shortened statutory period for reply of three (3) months. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the above-identified application became abandoned on November 9, 2007.

The Office mailed a Notice of Abandonment on March 21, 2008.

The instant petition and a Notice of Appeal were filed October 14, 2010.

An appeal brief and the \$540 fee for filing the brief were filed December 14, 2010.

Discussion

The Office will not address the merits of a petition absent payment of the required petition fee. Although the petition indicates the \$1,620 petition fee is being filed with the petition, Office records fail to indicate the Office received the fee. Therefore, the merits of the petition will not be considered at this time and the petition is dismissed.

Any request for reconsideration must include the required \$1,620 petition fee.

Petitioner may wish to note the Office has no record of receiving the required \$540 fee for the Notice of Appeal filed October 14, 2010.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. No further petition fee is required for the request. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

Further correspondence with respect to this matter may be submitted as follows:

By Internet: A request for reconsideration may be filed electronically using EFS Web.<sup>1</sup>  
Document Code "PET.OP" should be used if the request is filed electronically.

By mail: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300  
Attn: Office of Petitions

By hand: U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



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Office of Petitions

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<sup>1</sup> General Information concerning EFS Web can be found at <http://www.uspto.gov/patents/process/file/efs/index.jsp>.